



Journal of the Senate

State of Indiana

115th General Assembly

Second Regular Session

Eighteenth Meeting Day

Monday Afternoon

February 18, 2008

The Senate convened at 1:38 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Patricia L. Miller.

The Pledge of Allegiance to the Flag was led by Senator Miller.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting <input type="checkbox"/>	Long
Arnold	Lubbers
Becker	Meeks
Boots	Merritt
Bray	Miller
Breaux	Mishler <input type="checkbox"/>
Brodén	Mrvan
Charbonneau	Nugent
Deig	Paul
Delph	Riegsecker
Dillon	Rogers
Drozda	Simpson
Errington	Sipes
Ford <input type="checkbox"/>	Skinner
Gard	Smith
Hershman	Steele
Howard <input type="checkbox"/>	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 199: present 46; excused 4. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1359, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "P.L.218-2007," AND INSERT "HEA 1137-2008, SECTION 9, AND AS AMENDED BY SEA 190-2008, SECTION 17,".

Page 1, line 2, delete "SECTION 1,".

Page 1, line 2, after "IS" insert "CORRECTED AND".

Page 2, line 21, after "required by" insert "*or other date provided by*".

Page 2, line 31, delete "or" and insert "~~or~~".

Page 2, line 32, delete "4-33-4-14." and insert "4-33-4-14, *or IC 4-35-4-2.*".

Page 3, line 1, delete "12-15-41-15 or IC 12-15-44-19(b)." and insert "12-15-41-15. ~~or IC 12-15-44-19(b).~~".

Page 3, line 3, delete "IC 15-2.1-18-21." and insert "~~IC 15-2.1-18-21.~~ **IC 15-17-10-9.**".

Page 3, between lines 33 and 34, begin a new line block indented and insert:

"(31) An emergency rule adopted by the board of the Indiana health informatics corporation under IC 5-31-5-8."

Page 9, line 35, after "payable" insert "**by written agreement**".

Page 9, line 35, after "in" insert "**more than four (4)**".

Page 9, line 35, delete "installments;" and insert "installments (**not including a down payment**)";

Page 19, line 23, delete "creditor," and insert "**creditor**".

Page 32, line 11, reset in roman "or".

Page 64, line 13, delete "an" and insert "**a**".

Page 82, line 9, block left beginning with "a limited".

(Reference is to HB 1359 as reprinted January 29, 2008.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1284, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 36 through 42.

Page 3, delete lines 1 through 24.

Page 7, delete lines 27 through 42.

Delete pages 8 through 12.

Renumber all SECTIONS consecutively.

(Reference is to HB 1284 as printed January 25, 2008.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and

Financial Institutions, to which was referred Engrossed House Bill 1379, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, line 38, delete "IC 27-8-19.8 concerning viatical settlements." and insert "**IC 27-8-19.8-20.1 concerning stranger originated life insurance.**".

Page 8, delete lines 7 through 42.

Delete pages 9 through 15.

Page 16, delete line 1.

Page 16, delete lines 22 through 42.

Delete page 17.

Page 18, delete lines 1 through 29.

Page 18, line 34, delete "for the purpose of or with an emphasis on making" and insert "**in connection with stranger originated life insurance.**".

Page 18, delete lines 35 through 38.

Page 18, line 39, delete "(c)" and insert "(b)".

Page 18, line 39, delete "chapter" and insert "section".

Page 18, delete lines 41 through 42.

Delete pages 19 through 22.

Renumber all SECTIONS consecutively.

(Reference is to HB 1379 as reprinted January 29, 2008.)
and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 4.

PAUL, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 52

Senate Concurrent Resolution 52, introduced by Senator Errington:

A CONCURRENT RESOLUTION honoring Muncie Police Department Sergeant Tony Calvert for his outstanding police work which led to the apprehension and conviction of a sexual predator who abducted a 15-year-old girl from Muncie.

Whereas, Sergeant Tony Calvert has been with the Muncie Police Department since 1991 where he started out as a patrolman;

Whereas, Sergeant Tony Calvert, an investigator at that time, was assigned to a case of a 15-year-old girl who was abducted;

Whereas, Sergeant Tony Calvert worked around the clock and worked relentlessly on the case, keeping in touch with the girl's family, giving them as much information as possible;

Whereas, Sergeant Tony Calvert successfully pieced together the abductor's identity and chain of events that led to his arrest and conviction for kidnapping and sexual assault; and

Whereas, Sergeant Tony Calvert's determination and hard work reunited the girl with her family within one week's time: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. The Indiana General Assembly honors Sergeant Tony Calvert for his outstanding police work which led to the apprehension of a sexual predator in just one week's time.

SECTION 2. That the Secretary of the Senate is directed to transmit a copy of this resolution to Sergeant Tony Calvert and Johnny and Sherry Reason.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Tyler.

Senate Concurrent Resolution 24

Senate Concurrent Resolution 24, introduced by Senator Lubbers:

A CONCURRENT RESOLUTION congratulating the Sertoma Club of Broad Ripple on its 50th anniversary.

Whereas, SERTOMA, which is an acronym for "SERVICE TO Mankind", is a service organization whose goal is to assist people in need in local communities. The Sertoma Club of Broad Ripple was chartered on March 20, 1958 with 31 members;

Whereas, At the outset, the members of the Broad Ripple Sertoma Club selected the Marion County Association for Retarded Children to benefit from its support. This organization, now known as Noble of Indiana, provides a vast number of services and opportunities for more than 2,000 adults and children with developmental disabilities. Since it began supporting Noble, the club has contributed over \$1.5 million;

Whereas, In 1991, the club added the Cranial-Facial Department of Riley Hospital for Children as its second major sponsorship. Funds provided have been used to purchase specialized equipment for use in performing facial surgeries on children;

Whereas, Each year the club's members donate their own money to the Sertoma Foundation's annual fund drive. During this event, the Sertoma Club of Broad Ripple has consistently contributed the most money out of all of the clubs in the entire Sertoma organization;

Whereas, Over the past 50 years, the Sertoma Club of Broad Ripple has provided over \$2 million in support to Noble of Indiana, Riley Hospital, and countless other organizations;

Whereas, The club's recent honors include the Development of the Arc Award, Noble of Indiana's President's Award, and Outstanding Civic Organization in Indiana; and

Whereas, With a membership of 115, the Broad Ripple Sertoma Club has earned its reputation as one of the largest and most successful clubs in Sertoma history by contributing both money and time to the needs of people in the Indianapolis

community year after year: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly hereby congratulates the Sertoma Club of Broad Ripple on its 50th anniversary.

SECTION 2. The Secretary of Senate is hereby directed to transmit a copy of this Resolution to the Sertoma Club of Broad Ripple.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Porter and Noe.

Senate Concurrent Resolution 50

Senate Concurrent Resolution 50, introduced by Senator Steele:

A CONCURRENT RESOLUTION honoring World War II Veteran James Lee Hutchinson of Bedford, Indiana.

Whereas, Between 1944 and 1945, James Lee Hutchinson served with the "Mighty Eighth" Air Force - the most decorated U.S. Army Air Corps Unit during WWII;

Whereas, James served as a radio operator and gunner on a lead crew of the B-17 Flying Fortress during eighteen combat missions with the 490th Bomb Group of the 8th Air Force in England;

Whereas, James and his nine fellow crew members joined hundreds of other bombers as they went on numerous missions into the heart of Hitler's Germany. They flew at 25,000 feet, on oxygen, in sub-zero temperatures for hours at a time facing anti-aircraft flak and attacks by Luftwaffe fighters;

Whereas, Upon returning from the war at age 20, James attended Indiana University where he majored in history and journalism. He earned a BS in Education in 1949 and then a Masters in Education in 1952. He later returned to school, receiving his Ed.S. in School Administration in 1967;

Whereas, James enjoyed a 37 year career in education, where he served as an elementary teacher, principal, and a Special Projects Assistant to the Superintendent of Bedford-North Lawrence Schools;

Whereas, James has recounted his WWII experiences in his book "Through These Eyes", which is based on notes from his combat diary and memories of his boyhood in the depression years. The book covers topics ranging from basic training to the Holocaust and the terrible costs of the war;

Whereas, A copy of this book has been placed in the Library of Congress as part of Senator Richard Lugar's World War II

Veterans' History Project;

Whereas, James has been an active member in the Bedford community serving as an ordained elder in the Presbyterian Church, President of the Rotary Club, and a member of the Masonic Lodge for 46 years; and

Whereas, James is presently preparing a second book, "WWII Legacies of Freedom" which will include more boyhood experiences and the stories of other Indiana Air Force veterans. In addition, he is working with the Radio Television class at BNL High School to interview WWII veterans so that their stories can be recorded and made available to schools and public libraries for future generations: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors James Lee Hutchinson for his service to protect our country in World War II.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Mr. James Hutchinson.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Koch.

Senate Concurrent Resolution 53

Senate Concurrent Resolution 53, introduced by Senator Drozda:

A CONCURRENT RESOLUTION recognizing St. Theodore Guerin High School for being named a 2007 Catholic High School Honor Roll award recipient.

Whereas, The Acton Institute implemented the Catholic High School Honor Roll award program in 2004. The purpose of the award is to recognize and encourage excellence in Catholic secondary education by honoring schools that excel in academic excellence, Catholic identity, and civic education;

Whereas, All of the approximately 1,300 Catholic High Schools in the nation are eligible to apply for the Catholic High School Honor Roll award. The Acton Institute recognizes the top 50 schools each year;

Whereas, St. Theodore Guerin High School was selected as one of the 2007 recipients of the Catholic High School Honor Roll award and was listed in the top 25 in the civic education category;

Whereas, St. Theodore Guerin High School, which opened in 2004, was among eleven new schools to receive the Catholic High School Honor Roll recognition in 2007. It is the first Indianapolis-area Catholic high school to earn this distinction and was one of only sixteen recipients nationwide that are open enrollment schools; and

Whereas, Since opening in 2004, St. Theodore Guerin High School has shown a commitment to preparing students to be leaders through academics and forming students in the Catholic faith. We wish them continued success: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana State Senate congratulates St. Theodore Guerin High School on receiving the 2007 Catholic High School Honor Roll award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to President, Father Ted Rothrock and Principal, Rick Wagner.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Torr.

Senate Concurrent Resolution 23

Senate Concurrent Resolution 23, introduced by Senator Delph:

A CONCURRENT RESOLUTION congratulating Natalie Ciresi on winning the "What Indiana Means to Me" Essay Contest.

Whereas, 750 fourth grade students across the State of Indiana participated in the "What Indiana Means to Me" Essay Contest;

Whereas, In determining the contest winner, the judges considered whether the contestant's essay specifically answered the question "What Indiana Means to Me", whether the contestant based their essay on personal experiences, and whether the contestant had a unique perspective;

Whereas, Having visited 47 different states, ten-year-old Natalie Ciresi, a fourth grader at West Clay Elementary School in Carmel, conveyed her steadfast belief that Indiana is "the best place in the world to live";

Whereas, Of the numerous well-written essays received from across Indiana, Natalie's essay emerged as the best. As the winner of the essay contest, Natalie was invited to recite her essay to an audience of fellow students, parents, and teachers in the Indiana State House for the annual Statehood Day Celebration in honor of Indiana's 191st birthday; and

Whereas, At this celebration, Natalie was congratulated with a handshake from Governor Mitch Daniels: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Natalie Ciresi on winning the "What Indiana Means to Me" Essay Contest.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Natalie Ciresi and her family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Noe, Orentlicher, and Torr.

Senate Concurrent Resolution 55

Senate Concurrent Resolution 55, introduced by Senators Dillon and Ford:

A CONCURRENT RESOLUTION memorializing Staff Sergeant Bradley King.

Whereas, Staff Sgt. Bradley King was killed on April 2, 2007 by an improvised explosive device while he was riding in a Humvee during combat operations in Al Amiriyah, Iraq;

Whereas, Staff Sgt. Bradley King of LaFontaine had been serving in Iraq since September with Company A, Second Battalion, 152nd Infantry. This is the same unit he had been a part of since he enlisted in September 1997, before graduating from Mississinewa High School in 1998;

Whereas, A funeral procession that included Indiana State Police, Gas City police, Marion police and Grant County sheriff's vehicles and a group of Patriot Guard Riders on motorcycles made its way through Gas City before reaching its stopping point in Wabash; and

Whereas, Staff Sgt. King was a caring person who was dedicated to his family and friends. It was this dedication that lead him to fight for freedom for all. He is truly a great American hero: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly expresses its condolences on the death of Staff Sgt. Bradley King and extends to his family sincere appreciation for his sacrifice defending freedom for all people.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Staff Sgt. Bradley King's family.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Ruppel and Reske.

Senate Concurrent Resolution 58

Senate Concurrent Resolution 58, introduced by Senator Dillon:

A CONCURRENT RESOLUTION memorializing Lance Corporal Scott A. Zubowski.

Whereas, Lance Cpl. Scott Zubowski was killed on November 12, 2005 by an improvised explosive device while conducting combat operations against enemy forces in Al Amiriyah, Iraq;

Whereas, Lance Cpl. Zubowski was on his second tour of duty in Iraq and was assigned to 2nd Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, California;

Whereas, In honor of Lance Cpl. Zubowski's ultimate sacrifice, flags were lowered to half-staff around North Manchester and at the North Manchester High School where Zubowski graduated in 2003; and

Whereas, In high school, Lance Cpl. Zubowski was a very bright student. He also ran track and cross country and was a swimmer. As a Marine, he fought to preserve liberty for us all and is truly a great American hero: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly memorializes Lance Corporal Scott A. Zubowski.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Lance Corporal Zubowski's family.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Ruppel and Reske.

Senate Concurrent Resolution 42

Senate Concurrent Resolution 42, introduced by Senator Bray:

A CONCURRENT RESOLUTION honoring the Martinsville High School Academic Spell Bowl Team.

Whereas, The Martinsville High School Academic Spell Bowl Team became the 2007 Class One Spell Bowl State Champion with a perfect score of 90 Points;

Whereas, The 2007 Championships were held on the campus of Purdue University on November 10, 2007. The Spell Bowl is sponsored by the Indiana Association of School Principals;

Whereas, The Martinsville High School victory in the Championships marks the 13th consecutive year that the Artesians have won or been runner up of the Academic Spell Bowl State Competition;

Whereas, The Martinsville High School Spell Bowl team boasts 10 competing members and one alternate. In preparation for the Spell Bowl, team members learn 3,500 words and their definitions each year;

Whereas, On the road to the State Championship the Artesian spellers competed against over 200 teams from across the state.

In the area competition, Martinsville scored the second highest number of points in the state; and

Whereas, The success of Martinsville High School's academic teams has been described as "a dynasty of academic excellence": Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School Spell Bowl Team on its victory and wishes the team continued success in future competitions.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Martinsville High School Superintendent, Dr. Ron Furniss; Principal, Don Alkire; Team Coach, Wayne Babbitt; and each member of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Foley.

Senate Concurrent Resolution 41

Senate Concurrent Resolution 41, introduced by Senator Bray:

A CONCURRENT RESOLUTION congratulating the Martinsville High School Academic Decathlon Team on winning the state competition.

Whereas, The Martinsville High School Academic Decathlon team won its eleventh straight state large school title during the state competition held at Purdue University on February 8 and 9, 2008;

Whereas, The purpose of the United States Academic Decathlon (USAD) is to develop and provide academic competitions, curriculum, and assessment to promote learning and academic excellence through teamwork among students of all achievement levels;

Whereas, In order to win, the students had to compete with other schools in the areas of art, economics, essay, interview, language and literature, mathematics, music, science, social studies, and speech;

Whereas, In considering the importance of the competition, Coach Wayne Babbitt said, "The Decathlon is the most challenging and the most rewarding competition. Some of my students say if it weren't for the Decathlon, they would not have gone on to college or received a scholarship.";

Whereas, Because of this great accomplishment, the Artesians will be representing Indiana at the USAD National Finals in Garden Grove, California from April 30 through May 3; and

Whereas, This state title carries on the long legacy of success achieved by the Martinsville High School academic teams:

Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School Academic Decathlon Team on winning its eleventh straight state competition.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Martinsville High School Superintendent, Dr. Ron Furniss; Principal, Don Alkire; Team Coach, Wayne Babbitt; and each member of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Foley.

Senate Concurrent Resolution 51

Senate Concurrent Resolution 51, introduced by Senator Charbonneau:

A CONCURRENT RESOLUTION honoring President Alan F. Harre on his retirement from Valparaiso University.

Whereas, Alan F. Harre has shown a strong commitment to education, having earned a Bachelor of Arts degree from Concordia Senior College, a Master of Divinity degree from Concordia Seminary, a Master of Arts Degree from Presbyterian School of Christian Education, and a Doctor of Philosophy degree from Wayne State University;

Whereas, Dr. Harre began his professional career in 1967 as assistant pastor of St. James Lutheran Church. In 1973, he joined the theology faculty of Concordia University in Seward, Nebraska. During his tenure at the university, he also served as assistant to the president, dean of student affairs, and acting president;

Whereas, In 1984, Dr. Harre was named President of Concordia University in St. Paul, Minnesota. He held this position for four years before leaving to become the 17th President of Valparaiso University. During his presidency at Valparaiso University, Dr. Harre has expanded opportunities for the students, strengthened the university's faculty and added new facilities;

Whereas, Throughout his career, Dr. Harre has held numerous leadership roles for national, state and local educational and community organizations. He served on the Board of Directors for the Lutheran Educational Institute of North America, The Luther Institute, and Independent Colleges of Indiana. In addition, he has served on the board of local organizations, including the Porter County Community Foundation, the Northwest Indiana Forum, the Quality of Life Council, and the Greater Valparaiso Chamber of Commerce;

Whereas, Dr. Harre's contributions have been recognized by numerous organizations. He was named the recipient of the

2006 Chief Executive Leadership Award and the Greater Valparaiso Chamber of Commerce's Distinguished Community Leader Award in 1998. Dr. Harre received the 1999 Sam Walton Business Leader Award, the 2006 Wheat Ridge Ministries' Seeds of Hope Award, and the Quality of Life Council's Lifetime Achievement Award for 2007; and

Whereas, Dr. Harre has been an exceptional asset to Valparaiso University and he will be greatly missed by students and faculty alike: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Alan F. Harre on his retirement as President of Valparaiso University.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Dr. Alan Harre and his family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Soliday and Simms.

Senate Resolution 11

Senate Resolution 11, introduced by Senator Miller:

A SENATE RESOLUTION recognizing the Warren Central High School girls track team.

Whereas, The Warren Central High School girls track team is the top-ranked track team in Indiana once again;

Whereas, Warren Central captured its second straight state title at the 34th Annual Indiana High School Athletic Association's state finals held at the Robert C. Haugh track in Bloomington with a 30-point victory over runners-up Lawrence North and Valparaiso;

Whereas, Junior Candyce McGrone won the 100 meters in 11.97 seconds and the 200 meters in 24.04 seconds and was a member of the 400 meter relay team that won in a time of 46.72 seconds;

Whereas, Candyce McGrone has won six individual and relay state titles during her high school career; and

Whereas, Consistent excellence in any sport deserves special recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates the members of the Warren Central High School girls track team on their second consecutive state championship victory and wishes them continued success in all their future endeavors.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the members of the girls track team, head coach James Taylor, Warren Central High School principal Rich Shepler, and Metropolitan School District of Warren Township superintendent Dr. Peggy Hinckley.

The resolution was read in full and adopted by voice vote.

Senate Resolution 12

Senate Resolution 12, introduced by Senator Miller:

A SENATE RESOLUTION recognizing the Warren Central High School boys track team.

Whereas, The Warren Central High School boys track team is the top-ranked track team in Indiana again;

Whereas, Warren Central captured its second straight state title at the 34th Annual Indiana High School Athletic Association's state finals held at the Robert C. Haugh Track and Field Complex in Bloomington with a 10.5 point victory over runner-up Ben Davis;

Whereas, Senior De'Sean Turner won the 1600 meters with a time of 4:08.34;

Whereas, The Warren Central boys track team finished the season as the second-ranked team in the United States according to the Nike Web Nationals;

Whereas, Dennis McNulty, a former Indiana Association of Track and Cross Country Coaches Coach of the Year, is the inspiration behind these gifted athletes; and

Whereas, Athletics play a major role in the lives of young Hoosiers, teaching them valuable lessons to be used later in their lives: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates the Warren Central High School boys track team on its stunning victory and wishes the team members continued success in all their future endeavors.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the members of the boys track team, head coach Dennis McNulty, Warren Central High School principal Rich Shepler, and the Metropolitan School District of Warren Township superintendent Dr. Peggy Hinckley.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 57

Senate Concurrent Resolution 57, introduced by Senator Nugent:

A CONCURRENT RESOLUTION congratulating the Rising

Sun Recorder on its 175th anniversary.

Whereas, The "Rising Sun" was established on November 16, 1833, by Isaac Stevens. His goal for the paper was to give opinions that made readers think, while not getting too involved in politics;

Whereas, At its inception, the Rising Sun newspaper focused primarily on international and national news with some local news consisting mainly of one page social gossip;

Whereas, One of the first news items covered was the occurrence of a "shower of luminous meteors" that streamed through the sky above Rising Sun. This event caused great fear among the townspeople who had never before seen such a display;

Whereas, Beginning in the 1900's, with editor F. J. Waldo, local news stories became more frequent. Mr. Waldo had a good sense of humor, but was also very opinionated. He began to speak out about numerous issues and printed the first political cartoon on November 19, 1904;

Whereas, Mr. Waldo boosted paper sales by implementing local contests with cash prizes. He also began including advertisements aimed at the feminine reader;

Whereas, With the introduction of radio, news reels and television, international and national news became more readily available to the general public. As a result, the Rising Sun Recorder began focusing almost entirely on local events and issues; and

Whereas, Although television news has impacted the circulation of daily newspapers, the Rising Sun Recorder has flourished during these changes by keeping the local readers up-to-date on the Ohio County community. The paper was purchased by Gene and Dale McCann in 1971 and they have been responsible for the continued circulation of the area's four weekly publications: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the 175th anniversary of the Rising Sun Recorder.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Rising Sun Recorder.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Bischoff.

Senate Resolution 13

Senate Resolution 13, introduced by Senator Kruse:

A SENATE RESOLUTION urging the Legislative Council to assign to the Pension Management Oversight Commission

(PMOC) the issue of whether there is a legislative remedy that would allow the tax-free payment of death benefits from certain police and firefighter pension funds and to explore other options.

Whereas, Currently, the respective pension funds for police and fire, the 1925 Fund (IC 36-8-6), the 1937 Fund (IC 36-8-7), the 1953 Fund (IC 36-8-7.5), and the 1977 Fund (IC 36-8-8) pay a benefit upon the death of the survivors of deceased members. The purpose of this benefit is to assist with the funeral costs, like an insurance policy;

Whereas, This benefit is paid from the pension fund and therefore is taxed like regular member benefits; and

Whereas, It is believed that the savings to the funds of investing in insurance type benefits would be cost effective and cheaper than paying the death benefit directly from the respective pension funds. In addition, the survivors of deceased fund members would realize a tax-free benefit as opposed to the current method of payment: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. That the Legislative Council is urged to assign to the Pension Management Oversight Commission (PMOC) the issue of whether there is a legislative remedy that would allow local units of government for the 1925 Fund (IC 36-8-6), 1937 Fund (IC 36-8-7), 1953 Fund (IC 36-8-7.5), and the Public Employee's Retirement Fund (PERF) for the 1977 Police and Fire Fund (IC 36-8-8) to allow the survivors of deceased members to be paid the death benefits tax free. In addition, the Legislative Council is urged to direct PMOC to explore and investigate the option of allowing the local units to purchase life insurance for each member in the respective fund as well as PERF's ability to purchase an insurance policy in the amount of the death benefit for the members of the 1977 Fund.

SECTION 2. The Public Employee's Retirement Fund (PERF) shall provide assistance as requested by PMOC.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 56

Senate Concurrent Resolution 56, introduced by Senator Long:

A CONCURRENT RESOLUTION urging the Legislative Council to direct the Educational Technology Council to study the feasibility of establishing a continuing appropriation for the Indiana Technology Fund and renaming the fund the Senator David C. Ford School and Library Technology Fund.

Whereas, The Educational Technology Council was created in 2005 to advise the Governor and the Superintendent of Public Instruction on education related technology initiatives;

Whereas, Senator David Ford was among the initial appointees to the Council because of his expertise in technology generally, as evidenced by his chairmanship of the Senate Economic Development and Technology Committee since its inception in 2003;

Whereas, Senator Ford has been a respected leader, tireless advocate, and visionary champion for initiatives aimed at increasing educational opportunities for Indiana children through the use of technology;

Whereas, Among the initiatives championed by Senator Ford was the creation and continued funding of the Indiana Technology Fund;

Whereas, The Indiana Technology Fund's mission is to provide permanent and stable funding to support and maintain a statewide information technology infrastructure for Indiana's schools and libraries;

Whereas, Senator Ford's vision for Indiana in the 21st century is a place where every student in every school in every corner of our state has access to the technology tools required to learn and compete in the global marketplace; and

Whereas, In order to achieve this goal, a certain and predictable source of funding is vital: Therefore,

*Be it resolved by the Senate of the General Assembly
of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Legislative Council is urged to direct the Educational Technology Council to study the feasibility of a continuing appropriation to the Indiana Technology Fund established under IC 4-34-2.

SECTION 2. That the Legislative Council is also urged to direct the Educational Technology Council to recommend that legislation be introduced in the next General Assembly to rename the Indiana Technology Fund the David C. Ford School and Library Technology Fund, as a recognition of Senator Ford's extraordinary efforts in this area.

SECTION 3. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Ford and his family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Bauer, Bosma, Espich, and T. Harris.

House Concurrent Resolution 29

House Concurrent Resolution 29, sponsored by Senator Breaux:

A CONCURRENT RESOLUTION honoring Father Boniface Hardin on his retirement as president of Martin University.

Whereas, Father Boniface Hardin began his education at St. Meinrad High School in 1951 and later joined the St. Meinrad Archabbey;

Whereas, Father Hardin founded Martin University in Indianapolis in 1977 and served as its president until his retirement on December 31, 2007;

Whereas, The mission of Martin University is to serve low income, minority, and adult learners in a healing and freedom-minded environment;

Whereas, During Father Hardin's tenure as president of Martin University, over 1,200 degrees were conferred upon Martin graduates;

Whereas, Father Hardin also was the co-founder of the Indianapolis Sickle Cell Center, founder and director of the Northwest Action Council, co-founder of the Negro-Jewish Dialogue, and co-founder of the Human Relations Consortium; and

Whereas, The self-sacrifice and dedication exhibited by Father Hardin throughout his 30-year tenure as president of Martin University have been an inspiration to the state of Indiana and its citizens: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly thanks Father Boniface Hardin for his work and dedication as president of Martin University

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Father Boniface Hardin.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1019

Senator Meeks called up Engrossed House Bill 1019 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1036

Senator Steele called up Engrossed House Bill 1036 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1065

Senator Kruse called up Engrossed House Bill 1065 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1067

Senator Weatherwax called up Engrossed House Bill 1067 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1071

Senator Lawson called up Engrossed House Bill 1071 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1071-1)

Madam President: I move that Engrossed House Bill 1071 be amended to read as follows:

Page 3, line 7, after "administration" insert "**assistance**".

Page 3, line 8, after "thousand" insert "**two hundred**".

Page 3, line 8, delete "(\$125,000)" and insert "(\$**125,200**)".

(Reference is to EHB 1071 as printed February 8, 2008.)

LAWSON

Motion prevailed.

SENATE MOTION (Amendment 1071-2)

Madam President: I move that Engrossed House Bill 1071 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-49.9, AS ADDED BY P.L.164-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 49.9. (a) "Vote center" means a polling place where a voter who resides in the county in which the vote center is located may vote without regard to the precinct in which the voter resides.

(b) ~~This section expires December 31, 2009.~~"

Page 2, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 2. IC 3-11-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. A voter shall vote at the polls for the precinct where the voter resides except when authorized to vote:

(1) in another precinct under IC 3-10-10, IC 3-10-11, ~~or~~ IC 3-10-12; ~~or~~

(2) at a special voting poll under section 6.5 of this chapter; ~~or~~

(3) **at an alternate polling place under section 3.3 of this chapter.**

SECTION 3. IC 3-11-8-3.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3.2. (a) A county executive shall give ten (10) days notice of the place of voting in each precinct by publication in the manner prescribed by

IC 5-3-1-4. The notice must include the following information:

(1) For each precinct, whether the polls are located in an accessible facility.

(2) If special polling places are designated under section 6.5 of this chapter:

(A) the location of each special polling place; and

(B) the procedures for elderly voters and voters with disabilities to apply to vote at a special polling place.

(b) If it is necessary to change a place for voting after giving notice, notice of the change shall be given in the same manner. However, except as provided in subsection (c) **or section 3.3 of this chapter**, a change may not be made within two (2) days before an election.

(c) If the county election board determines by a unanimous vote of the board's entire membership that the use of a polling place at an election would be dangerous or impossible, the county election board may order the relocation of the polling place during the final two (2) days before an election. The county election board shall give the best possible notice of this change to news media and the voters of the precinct. If an order is adopted under this subsection, the order expires after the election.

SECTION 4. IC 3-11-8-3.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 3.3. (a) Before each election that is held after June 30, 2008, each:**

(1) county election board; and

(2) county board of elections and registration;

shall designate at a central location in the jurisdiction in which the election will be held at least one (1) alternate polling place for use in the event that voters are unable to vote in their assigned polling place because the polls do not open within one (1) hour after the time that the polls are required to open under section 8 of this chapter.

(b) If the polls in any precinct do not open within one (1) hour after the polls are required to open under section 8 of this chapter, the county election board or county board of elections and registration shall order the relocation of the polling place to the alternate polling place designated under subsection (a).

(c) The county election board shall give the best possible notice of the relocation of the polling place to the news media and the voters of the precinct.

(d) If the jurisdiction in which the election will be held has at least twenty-five thousand (25,000) active voters, the county election board or county board of elections and registration shall designate at least one (1) alternate polling place at a central location in each township included in the jurisdiction in which the election will be held.

(e) An alternate polling place designated under this section must:

(1) be located in an accessible facility; and

(2) operate under all other requirements for precincts and polls under this title.

(f) Votes cast at an alternate polling place shall be counted and reported in the same manner as if the votes had been cast at the polls that did not open within the period required under subsection (a).

SECTION 5. IC 3-11-18-1, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. This chapter applies to a county designated as a vote center ~~pitot~~ county under this chapter.

SECTION 6. IC 3-11-18-3, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. (a) For a county to be designated a vote center ~~pitot~~ county:

(1) the county election board (or board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4), by unanimous vote of the entire membership of the board, must approve ~~the filing of an application to be designated~~ **an order designating the county** a vote center ~~pitot~~ county;

(2) all members of the board must sign the ~~application;~~ **order;** and

(3) the ~~application order~~ must be filed with the ~~secretary of state; election division.~~

(b) The ~~application order filed with the election division~~ must include a **copy of:**

(1) a resolution adopted by the county executive; and

(2) a resolution adopted by the county fiscal body;

approving the ~~submission designation~~ of the ~~application;~~ **county as a vote center county.**

SECTION 7. IC 3-11-18-4, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. The ~~application order~~ **adopted by the county election board** must include a plan for the administration of vote centers in the county. The plan must include at least the following:

(1) The total number of vote centers to be established.

(2) The location of each vote center. ~~and the municipality, if any, in which the vote center is located;~~

~~(3) A list of each municipality within the county that is entitled to conduct a municipal primary or municipal election, as of the date of the application;~~

(3) The effective date of the order.

(4) The total number of voters ~~within each municipality, in the county,~~ as of the date of the ~~application;~~ **order,** and the number of those voters ~~within each municipality~~ designated as "active" and "inactive" according to the ~~county voter registration office; computerized list (as defined in IC 3-7-26.3-2).~~

(5) For each vote center designated under subdivision (2), a list of the precincts whose polls will be located at the vote center.

(6) For each vote center designated under subdivision (2), the number of precinct election boards that will be appointed to administer an election at the vote center.

(7) For each precinct election board designated under subdivision (6), the number and name of each precinct the precinct election board will administer.

(8) For each vote center designated under subdivision (2), the number and title of the precinct election officers who will be appointed to serve at the vote center.

(9) For each vote center designated under subdivision (2):

(A) the number and type of ballot variations that will be provided at the vote center; and

(B) whether these ballots will be:

(i) delivered to the vote center before the opening of the polls; or

(ii) printed on demand for a voter's use.

(10) A detailed description of any hardware, firmware, or software used:

(A) to create an electronic poll list for each precinct whose polls are to be located at a vote center; or

(B) to establish a secure electronic connection between the county election board and the precinct election officials administering a vote center.

(11) A description of the equipment and procedures to be used to ensure that information concerning a voter entered into any electronic poll list used by precinct election officers at a vote center is immediately accessible to:

(A) the county election board; and

(B) the electronic poll lists used by precinct election officers at all other vote centers in the county.

(12) For each precinct designated under subdivision (5), the number of electronic poll lists to be provided for the precinct.

(13) The security and contingency plans to be implemented by the county to:

(A) prevent a disruption of the vote center process; and

(B) ensure that the election is properly conducted if a disruption occurs.

(14) A certification that the vote center complies with the accessibility requirements applicable to polling places under IC 3-11-8.

(15) A sketch depicting the planned layout of the vote center, indicating the location of:

(A) equipment; and

(B) precinct election officers;

within the vote center.

(16) The total number of vote centers to be established at satellite offices that are established under IC 3-11-10-26.3 to allow voters to cast absentee ballots in accordance with IC 3-11.

SECTION 8. IC 3-11-18-5, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. ~~(a) Except for a municipality described in subsection (b),~~ A plan must provide a vote center for use by voters residing in each municipality within the county ~~conducting for use in a primary election, general election, special election, a municipal primary, or a municipal election conducted on or after the effective date of the county~~

~~election board's order.~~

~~(b) A vote center may not be used in a municipal primary or municipal election conducted within a municipality that is partially located in a county that has not been designated a vote center pilot county.~~

SECTION 9. IC 3-11-18-6, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 6. When the total number of voters designated under section 4(4) of this chapter as "active" equals at least twenty-five thousand (25,000), ~~in the municipalities listed in the plan,~~ the following apply:

(1) The plan must provide for at least one (1) vote center for each ten thousand (10,000) active voters.

(2) In addition to the vote centers designated in subdivision (1), the plan must provide for a vote center for any fraction of ten thousand (10,000) voters.

SECTION 10. IC 3-11-18-7, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. Before approving ~~an application to designate an order designating~~ a county as a vote center ~~pilot county~~ under this chapter, the ~~secretary of state county election board~~ must determine the following:

(1) That the secure electronic connection as described under section 4(10)(B) of this chapter is sufficient to prevent:

(A) any voter from voting more than once; and

(B) unauthorized access by any person to:

(i) the electronic poll lists for a precinct whose polls are to be located at the vote center; or

(ii) the computerized list of voters of the county.

(2) That the planned design and location of the equipment and precinct officers will provide the most efficient access for:

(A) voters to enter the polls, cast their ballots, and leave the vote center; and

(B) precinct election officials, watchers, challengers, and pollbook holders to exercise their rights and perform their duties within the vote center.

SECTION 11. IC 3-11-18-8, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. **(a)** The designation of a county as a vote center ~~pilot county~~ takes effect immediately **upon the filing of the order with the election division**, unless otherwise specified by the ~~secretary of state county election board~~.

(b) The designation of a county as a vote center county remains in effect until the county election board, by unanimous vote of its entire membership:

(1) rescinds the order designating the county as a vote center county; and

(2) files a copy of the document rescinding the order with the election division.

SECTION 12. IC 3-11-18-11, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 11. Except as otherwise

provided by this chapter, the county shall administer an election conducted at a vote center in accordance with federal law, this title, and the plan ~~submitted~~ **adopted** with the ~~application~~ **county election board's order** under section 4 of this chapter.

SECTION 13. IC 3-11-18-15, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 15. (a) In addition to the precinct election officers appointed under IC 3-6-6, a county election board by the unanimous vote of the entire membership may appoint one (1) or more greeters to:

- (1) direct voters entering the vote center to the appropriate location for the voters to sign the electronic poll list; and
- (2) provide other instructions to facilitate the efficient movement of individuals within the vote center.

(b) An individual appointed as a greeter under this section must bear credentials issued by the county election board stating the name of the individual and the individual's status as a greeter.

(c) The plan adopted with a county election board's order under section 4 of this chapter may authorize precinct election officials to perform duties specified under this title using alternative procedures described in the plan in order to efficiently administer the county's vote centers.

SECTION 14. IC 3-11-18-17, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 17. (a) ~~The secretary of state may permit~~ A county to ~~may~~ amend a plan ~~submitted~~ **adopted with a county election board's order** under section 4 of this chapter.

(b) For a county to amend its plan:

- (1) the county election board (or board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4), by unanimous vote of the entire membership of the board, must approve the ~~filing of a request to amend the plan~~ **amendment**;
- (2) all members of the board must sign the ~~request~~ **amendment**; and
- (3) the ~~request amendment~~ must be filed with the ~~secretary of state~~ **election division**.

~~(c) The request for amendment must set forth the specific amendments proposed to be made to the plan.~~

(c) A plan amendment takes effect immediately upon filing with the election division, unless otherwise specified by the county election board.

SECTION 15. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2008]: IC 3-11-18-2; IC 3-11-18-18; IC 3-11-18-19; IC 3-11-18-20.

SECTION 16. [EFFECTIVE JULY 1, 2008] A county designated as a vote center pilot county under:

- (1) P.L.164-2006, SECTION 148 (before its expiration); or
- (2) SECTION 14 of this act;

is automatically redesignated as a vote center county under IC 3-11-18, as amended by this act, on July 1, 2008.

SECTION 17. [EFFECTIVE JANUARY 1, 2008 (RETROACTIVE)] (a) The definitions set forth in IC 3-5-2

apply throughout this SECTION.

(b) The secretary of state may designate one (1) county as a vote center pilot county under IC 3-11-18.

(c) A county must file with the secretary of state an application to be designated a vote center pilot county under IC 3-11-18 not later than March 1, 2008.

(d) The secretary of state shall act in accordance with IC 3-11-18 and this SECTION to designate a county as a vote center pilot county not later than March 15, 2008.

(e) The designation of a county as a vote center pilot county under this SECTION is effective June 1, 2008.

(f) This SECTION expires July 1, 2008."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1071 as printed February 8, 2008.)

LANDSKE

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1107

Senator Lubbers called up Engrossed House Bill 1107 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1107-1)

Madam President: I move that Engrossed House Bill 1107 be amended to read as follows:

Page 2, line 25, after "(a)" insert "**This section does not apply to an accredited nonpublic school or a teacher employed by an accredited nonpublic school.**".

Page 2, line 41, after "A" insert "**public school**".

Page 2, line 41, delete "licensed under IC 20-28-5".

Page 2, line 42, delete "diversity and".

(Reference is to HB 1107 as printed February 15, 2008.)

WALKER

Motion prevailed.

SENATE MOTION (Amendment 1107-2)

Madam President: I move that Engrossed House Bill 1107 be amended to read as follows:

Page 2, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 3. IC 20-30-5-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 19. (a) Each school corporation shall include in the school corporation's high school health education curriculum instruction regarding human fetal development as adopted by the state board. The instruction must include:

- (1) the result of human sperm and egg convergence;
- (2) the resulting development of human conception;
- (3) photographic images portraying each state of uterine fetal development; and
- (4) descriptions of human fetal development.

(b) The department shall develop, in consultation with the state department of health or any other appropriate organization, human fetal development educational materials and make the materials available to school corporations to assist teachers in providing the instruction required by this section.

(c) The department shall recommend and the state board shall adopt rules under IC 4-22-2 concerning the instruction required by this section."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1107 as printed February 15, 2008.)

DROZDA

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1112

Senator Wyss called up Engrossed House Bill 1112 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1117

Senator Hershman called up Engrossed House Bill 1117 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 30

House Concurrent Resolution 30, sponsored by Senator Breaux:

A CONCURRENT RESOLUTION memorializing Congresswoman Julia Carson for her many years of outstanding service to the citizens of Indiana and her community in central Indiana.

Whereas, Congresswoman Julia Carson was born July 8, 1938, and passed away on December 15, 2007, at the age of 69;

Whereas, The daughter of Velma Porter, Congresswoman Julia Carson was born in Louisville, Kentucky, and is survived by children, grandchildren, and great-grandchildren;

Whereas, Congresswoman Julia Carson became the first woman and the first African-American to represent Indiana in the United States House of Representatives when she was elected to that office in 1996, and she served in that office until her death;

Whereas, Congresswoman Julia Carson was elected to the office of Center Township Trustee in 1990 and served in that office through 1996;

Whereas, Congresswoman Julia Carson was elected to the

Indiana State Senate in 1976 and served in that office through 1990, where she served on the Health and Human Services Committee and Public Safety Subcommittee;

Whereas, Congresswoman Julia Carson was elected to the Indiana House of Representatives in 1972 and served in that office through 1976, where she served on the Human Services and Election and Apportionment Committees;

Whereas, Prior to seeking elected office, Congresswoman Julia Carson worked on behalf of Hoosiers in the office of Congressman Andy Jacobs where she instituted a program of performing the constituents' casework where they live, thereby creating a new standard for Congressional business that is followed today;

Whereas, Throughout all of her public service, Congresswoman Julia Carson worked tirelessly on behalf of children, women, veterans, and the homeless by writing and promoting legislation and implementing programs to provide needed services to her constituents while saving tax dollars;

Whereas, Congresswoman Julia Carson successfully authored a bill to award the Congressional Gold Medal to civil rights pioneer Rosa Parks in 1999;

Whereas, Congresswoman Julia Carson as a member of the United States House of Representatives effectively secured federal funds for the city of Indianapolis to assist with transportation, environmental issues, and neighborhood preservation, including funds for the Central Waterfront Project, the reparation of Veterans Memorial Plaza, and the Children's Museum;

Whereas, Congresswoman Julia Carson personally donated a building to the Hoosier Veterans Assistance Program for the development of the Carson House, a transitional housing for formerly homeless veterans; and

Whereas, Through her public life and private actions, Congresswoman Julia Carson inspired, touched, and served all Indiana citizens by her words and deeds: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The Indiana General Assembly honors the invaluable lifetime services and achievements of Congresswoman Julia Carson.

SECTION 2. That the Principal Clerk of the House of Representatives is directed to transmit a copy of this resolution to the family of Congresswoman Julia Carson.

The resolution was read in full and adopted by standing vote.

The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1121

Senator Jackman called up Engrossed House Bill 1121 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1121-2)

Madam President: I move that Engrossed House Bill 1121 be amended to read as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 14-9-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. Money in a fund does not revert to the state general fund at the end of a state fiscal year. ~~until the fund contains fifty thousand dollars (\$50,000). Any amount greater than fifty thousand dollars (\$50,000) reverts to the state general fund at the end of each state fiscal year.~~

SECTION 3. IC 14-9-5-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. (a) As used in this section, "account" means the Indiana sportsmen's benevolence account established by subsection (b).

(b) The Indiana sportsmen's benevolence account is established within the fund for the division of law enforcement to encourage citizen participation in feeding the state's hungry through donations of wild game that has been lawfully hunted.

(c) The account consists of:

- (1) gifts;
- (2) donations; and
- (3) proceeds derived from marketing by the division of law enforcement of goods related to the feeding of the state's hungry through donations of wild game under subsection (a).

(d) The expenses of administering the account shall be paid from money in the account.

(e) The division of law enforcement shall:

- (1) conduct a publicity campaign relating to feeding the state's hungry through donations of wild game;
- (2) coordinate with nonprofit entities and other entities created with goals of feeding the state's hungry; and
- (3) engage in any other activities to further the goals of this section.

(f) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account."

Page 2, line 5, after "by the" insert "budget committee."

Renumber all SECTIONS consecutively.
(Reference is to EHB 1121 as printed February 12, 2008.)

JACKMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1129

Senator Merritt called up Engrossed House Bill 1129 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1145

Senator Boots called up Engrossed House Bill 1145 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1156

Senator M. Young called up Engrossed House Bill 1156 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1159

Senator Merritt called up Engrossed House Bill 1159 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1162

Senator Lawson called up Engrossed House Bill 1162 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1193

Senator Tallian called up Engrossed House Bill 1193 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1202

Senator Merritt called up Engrossed House Bill 1202 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1203

Senator Paul called up Engrossed House Bill 1203 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1204

Senator Kruse called up Engrossed House Bill 1204 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1204-1)

Madam President: I move that Engrossed House Bill 1204 be

amended to read as follows:

Page 4, line 35, after "PSAP" delete "." and insert "**or an airport authority established for a county having a consolidated city.**".

Page 5, line 2, after "institution" delete "." and insert "**or by an airport authority established for a county having a consolidated city.**".

(Reference is to EHB 1204 as printed February 15, 2008.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1213

Senator Kruse called up Engrossed House Bill 1213 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1234

Senator Charbonneau called up Engrossed House Bill 1234 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1243

Senator Wyss called up Engrossed House Bill 1243 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1244

Senator Lawson called up Engrossed House Bill 1244 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1253

Senator Boots called up Engrossed House Bill 1253 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1275

Senator Sipes called up Engrossed House Bill 1275 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1122

Senator Bray called up Engrossed House Bill 1122 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1164

Senator Kenley called up Engrossed House Bill 1164 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 31

House Concurrent Resolution 31, sponsored by Senator Nugent:

A CONCURRENT RESOLUTION recognizing Charles Thayer.

Whereas, Charles Thayer and his family have spent most of their lives in Aurora, Indiana;

Whereas, A graduate of Aurora High School, Charles Thayer served in the United States Army from 1952 to 1955 and spent some time in Europe;

Whereas, Upon his discharge, Charles Thayer returned to Aurora, where he began working for Seagrams, a job he retired from after 32 years of dedicated service;

Whereas, Charles Thayer married his wife Sandy in 1955 and together they had three children: Jim, Debra Ann, and Robert Wayne;

Whereas, In 1967, Charles Thayer was elected to his first term as a member of the Aurora City Council, a position he held for 10 terms;

Whereas, During his forty years on the City Council, Charles Thayer witnessed tremendous change; he lived through floods, fires, major improvement projects, a \$2.3 million renovation project to the oldest active city building in Indiana, and changes to the business district;

Whereas, Always actively involved with the youth of Aurora, Charles Thayer started the first Fast Pitch Softball League in the area in 1955 and has been instrumental in the development of several other sports fields;

Whereas, Charles Thayer has played an active role in the listing of the downtown area as a National Historic District and in helping to place at least four properties on the National Registry of Historic Places; and

Whereas, Charles Thayer has been a colleague, mentor, and friend to many throughout his career; his dedication to family, friends, and community makes Indiana a great place to live: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly thanks Charles Thayer for his years of dedicated service to the citizens of Aurora and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Charles Thayer and his family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1026

Senator Merritt called up Engrossed House Bill 1026 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning funerals and cemeteries and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 200: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1046

Senator Jackman called up Engrossed House Bill 1046 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 201: yeas 40, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 33

House Concurrent Resolution 33, sponsored by Senator Dillon and Weatherwax:

A CONCURRENT RESOLUTION memorializing Master Trooper Detective David E. Rich.

Whereas, Master Trooper Detective David E. Rich was born to be a member of the Indiana State Police;

Whereas, David E. Rich comes from a family with a long tradition of service to the community and the state;

Whereas, Since his birth on April 8, 1966, David E. Rich had dreamed of serving his state as a state police trooper;

Whereas, His father, Jack Rich, joined the Indiana State Police in 1958, retiring in 1990 to serve as Sheriff of Miami County for two terms;

Whereas, His brother, Bob, serves as the Area II Captain;

Whereas, On November 19, 1989, David E. Rich fulfilled a lifelong goal and became a member of the Indiana State Police;

Whereas, Originally assigned to Lafayette, Master Trooper Detective David E. Rich returned to the Peru post to be closer to home;

Whereas, A devoted family man, Master Trooper Detective David E. Rich married his wife, Connie, on March 28, 1998, and together they had three beautiful children, Lauren, Connor, and Carson;

Whereas, Master Trooper Detective David E. Rich was killed in the line of duty on July 5, 2007;

Whereas, Master Trooper Detective David E. Rich was shot and killed while investigating an apparent stranded vehicle on U.S. Highway 24 near State Road 115, one mile west of Wabash;

Whereas, While on his way home dressed in plain clothes and driving an unmarked car, Master Trooper Detective Rich stopped to help what he thought was a motorist stranded along the side of the road;

Whereas, Unaware that the man was driving an SUV that had been reported stolen on the previous day, he approached the vehicle and was shot by the driver;

Whereas, Master Trooper Detective David E. Rich served with the state police for 18 years;

Whereas, Master Trooper Detective Rich was a devoted husband, loving father and son, and good friend to many; these qualities endeared him to all who knew him;

Whereas, Master Trooper Detective David E. Rich will be greatly missed by his family, his friends, his brothers in the state police, and the citizens of the state of Indiana; and

Whereas, Master Trooper Detective Rich is a hero who came from a family of heroes who served their state honorably and without fear: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly expresses its deepest regrets to the family of Master Trooper Detective David Rich and to thank them for his years of dedicated service to the citizens of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to his wife, Connie, his parents, and his brother and sister.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 36

House Concurrent Resolution 36, sponsored by Senator Dillon:

A CONCURRENT RESOLUTION honoring the Whitko High School Art Department.

Whereas, The Whitko High School Art Department recently competed in the 38th World School Children's Art Exhibition in the Republic of China, Taipei;

Whereas, The purpose of this annual exhibition is not only to demonstrate and recognize the value of artistic expression in society but also to promote mutual understanding and friendship among today's youth around the globe;

Whereas, Whitko High School was one of only 10 schools to represent the United States at this event which featured participants from 47 countries;

Whereas, This talented group of Hoosier artists was led by their instructor Walter C. Malicki;

Whereas, The group included Yuri Bailey, Sarah Bays, Emily Bidwell, Ann Blanton, Deb Brennenman, Betty Burdeau, Sam Eberly, Kristyn Gerard, Ashley Haegert, Cady Mishler, Amanda Schultz, Brittany Sherry, Michelle Smith, Chris Spears, Andrew Sturgess, and Claire Truman;

Whereas, Betty Burdeau and Samantha Eberly were individual medal recipients at this prestigious event;

Whereas, The art students of Whitko High School have a long history of success having received 35 national and 115 international awards: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

Section 1. That the Indiana General Assembly congratulates the Whitko High School Art students for their achievements and expresses great pride at their representation of their school, state

and country.

Section 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Whitko High School and to Walter C. Malicki in care of Whitko High School.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 40

House Concurrent Resolution 40, sponsored by Senator Kenley:

A CONCURRENT RESOLUTION to officially proclaim the school years 2008-09 and 2009-10 as "Indiana's Lincoln School Years."

Whereas, Abraham Lincoln was elected 16th President of the United States;

Whereas, He grew up from a young boy to a young man in Indiana from 1816 until 1830;

Whereas, As a young man in Indiana, he had an insatiable appetite for knowledge, often seen carrying a book everywhere he went, realizing it would be his education that would create opportunities for his future life and unbeknown to him at the time, prepare him for the challenges he would face as President of the United States;

Whereas, That during his Presidency a Civil War was waged, of which he prevailed, and the United States was preserved;

Whereas, That during his Presidency he signed into law one of the most important public education measures, the Morrill Act, July 2, 1862, which allowed higher education for all citizens. This measure allowed the establishment of Purdue University in West Lafayette, Indiana;

Whereas, That during his Presidency he realized the significance of agriculture, and with the stroke of his pen on July 2, 1862, he created the United States Department of Agriculture to serve the country's and the State of Indiana's agriculture interests;

Whereas, That during his Presidency he signed the Emancipation Proclamation on January 1, 1863; supported the 13th Amendment to the Constitution which passed the Senate on April 8, 1864, and the House on January 31, 1865; and on April 11, 1865, became the first American President in history to publicly announce that he favored voting rights for African Americans;

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the members of the Indiana General Assembly, do hereby officially proclaim the school years 2008-09 and 2009-10 as "Indiana's Lincoln School Years." We encourage all schools to participate in the Indiana Abraham Lincoln Bicentennial Commission and Indiana Department of Education's program to become an Indiana Abraham Lincoln Bicentennial School, and we encourage all schools to have a school-wide program on February 12, 2009, to celebrate Abraham Lincoln's 200th birthday.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana Abraham Lincoln Bicentennial Commission and to the Indiana Superintendent of Public Instruction.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 38

House Concurrent Resolution 38, sponsored by Senators Simpson and M. Young:

A CONCURRENT RESOLUTION honoring Jeff Rudkin.

Whereas, The Milken National Educator Award is the nation's largest teacher recognition program;

Whereas, This award was developed by the Milken Family Foundation to attract the highest quality kindergarten through 12th grade teachers to the teaching profession and to reward and retain them;

Whereas, Forty-two states participate in the Milken National Educator Awards;

Whereas, Milken educators are selected by an independent blue ribbon committee appointed by the Department of Education from each of the 42 participating states;

Whereas, This selection committee recommends the candidates directly to the Milken Family Foundation; there is no nomination or application procedure involved in this award;

Whereas, To be nominated by the selection committee, the candidates must meet the following criteria: possess exceptional educational talent as evidenced by outstanding instructional practices in the classroom, school, and profession; make outstanding educational accomplishments beyond the classroom; have strong long-range potential for professional and policy leadership; and have an engaging and inspiring presence that motivates and impacts students, colleagues, and the community;

Whereas, Jeff Rudkin fulfills all these requirements;

Whereas, Jeff Rudkin teaches seventh and eighth grade social studies at Lora L. Batchelor Middle School in Bloomington;

Whereas, Jeff Rudkin is an innovative teacher whose leading edge techniques have helped his students develop research skills and generate an excitement for learning that will last throughout their lives;

Whereas, Jeff Rudkin created and developed an elective video and media production program known as B-TV (Batchelor Television) that allows students to create documentaries, weekly newscasts, public service announcements, and filmed interpretations of classic literature, and his students have received over 100 state, national, and international awards;

Whereas, Jeff Rudkin was one of nine teachers selected to be an Indiana University Armstrong Teacher Educator and was selected to teach a session on student media projects at the 2007 National School Board Association Spring Conference;

Whereas, In addition to his duties at Lora L. Batchelor Middle School, Jeff Rudkin is a member of the steering committee for the Association for Educational Communications and Technology International Student Media Festival and is on the board of directors for the Community Access Television Services Library Channel; and

Whereas, Outstanding teachers such as Jeff Rudkin form the cornerstone of our educational system and should be recognized for the contributions they make toward improving the lives of countless generations of Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Jeff Rudkin for winning the Milken National Educator Award and thanks him for all his efforts on behalf of the school children of the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Jeff Rudkin, Principal Paul White, and Superintendent James Harvey.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 37

House Concurrent Resolution 37, sponsored by Senators Rogers, Lubbers, and Sipes:

A CONCURRENT RESOLUTION memorializing Dr. Lowell Rose.

Whereas, Dr. Lowell Rose, a man of passion, eloquence, and intelligence, rendered conscientious and dedicated service to the field of education throughout his tenure as executive director of Phi Delta Kappa (PDK) International from 1971 to 1995 and as director of the PDK/Gallup Poll of the Public's Attitudes Toward the Public Schools; he also wrote extensively about the meaning of this national poll;

Whereas, Dr. Lowell Rose was a friend, teacher, role model, and mentor to many educators in Indiana and throughout the nation;

Whereas, Dr. Lowell Rose wrote extensively about how the No Child Left Behind Act could be improved and, with the needed improvements, could serve as a catalyst to improve learning for all children;

Whereas, Dr. Lowell Rose conducted himself in exemplary fashion, with fairness, integrity, and dignity, and was committed to the democratic process, having strong views about many issues but remaining scrupulously fair to ensure that all points of view were considered and heard;

Whereas, Dr. Lowell Rose provided leadership to state educators during his time as a teacher, administrator, superintendent of Kokomo-Center Schools, executive director of the Indiana School Boards Association (ISBA), and consultant for the Indiana Urban Schools Association (IUSA);

Whereas, Dr. Lowell Rose demonstrated the courage of his convictions and used his position and status as a consultant to IUSA to draw attention to the many issues facing public education in Indiana and throughout the country;

Whereas, As a consultant to IUSA, Dr. Lowell Rose always supported those measures designed to improve the education of the students of Indiana but was also a strong voice against measures which could harm public education; and

Whereas, Dr. Lowell Rose made a difference for educators, students, and all Hoosiers; he will be missed by his family and many friends who will remember him and his contributions to education for many years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly expresses its sincere appreciation for the valuable services to public education given by Dr. Lowell Rose.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to his wife, Mary, and the Board of Education of Kokomo-Center Schools.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 39

House Concurrent Resolution 39, sponsored by Senator Delph:

A CONCURRENT RESOLUTION honoring Dexter Suggs, Sr.

Whereas, The Milken National Educator Award is the nation's largest teacher recognition program;

Whereas, This award was developed by the Milken Family Foundation to attract the highest quality kindergarten through 12th grade teachers to the teaching profession and to reward and retain them;

Whereas, Forty-two states participate in the Milken National Educator Awards;

Whereas, Milken educators are selected by an independent blue ribbon committee appointed by the Department of Education from each of the 42 participating states;

Whereas, This selection committee recommends the candidates directly to the Milken Family Foundation; there is no nomination or application procedure involved in this award;

Whereas, To be nominated by the selection committee, the candidates must meet the following criteria: possess exceptional educational talent as evidenced by outstanding instructional practices in the classroom, school, and profession; make outstanding educational accomplishments beyond the classroom; have strong long-range potential for professional and policy leadership; and have an engaging and inspiring presence that motivates and impacts students, colleagues, and the community;

Whereas, Dexter Suggs, Sr. fulfills all these requirements;

Whereas, Dexter Suggs, Sr. serves as principal of Emma Donnan Middle School #72 in Indianapolis;

Whereas, Using the motto "Preparing to Be the Best", Dexter Suggs, Sr. has made academic and disciplinary improvements at Emma Donnan Middle School #72 that will help students live up to their potential and lead them on to bright and promising futures;

Whereas, Dexter Suggs, Sr. has worked with community leaders to develop programs for students and staff honoring and encouraging academic excellence and good character;

Whereas, Recognizing that motivated and dedicated teachers

are the cornerstone of a working educational system, Dexter Suggs, Sr. sends teachers a weekly electronic newsletter highlighting effective instructional strategies and practices;

Whereas, During his tenure as principal of Margaret McFarland Middle School #112, Dexter Suggs, Sr. helped increase student achievement on the Indiana Statewide Teaching of Educational Progress (ISTEP+) by 14 percent;

Whereas, In addition to his duties at Emma Donnan Middle School #72, Dexter Suggs, Sr. has served on the National School Leader Licensure Consortium and participated in Indiana's Graduation Qualifying Exam assessment committee; and

Whereas, Outstanding teachers and administrators such as Dexter Suggs, Sr. form the cornerstone of our educational system and should be recognized for the contributions they make toward improving the lives of countless generations of Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Dexter Suggs, Sr. on being given the 2007 Milken National Educator Award and thanks him for all his efforts on behalf of the school children of the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Dexter Suggs, Sr. and Superintendent Dr. Eugene White.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 32

House Concurrent Resolution 32, sponsored by Senators Weatherwax and Dillon:

A CONCURRENT RESOLUTION honoring Bill Patrick.

Whereas, Bill Patrick has enjoyed a long and illustrious basketball career;

Whereas, In recognition of his outstanding career, Bill Patrick will be inducted into the Indiana Basketball Hall of Fame;

Whereas, Currently in his 11th season as coach at Tippecanoe Valley, Bill Patrick has a 39-year record of 644 wins and 221 losses;

Whereas, A 1956 graduate of Sidney High School, now known as Whitko High School, Bill Patrick spent 28 years coaching at Whitko and led the Whitko Wildcats to the 1991 Final Four;

Whereas, During his career, Bill Patrick has recorded 15 conference championships, 15 sectional championships, 3 regional championships, 1 semi-state appearance, and an undefeated season in 1979-1980;

Whereas, Bill Patrick, who has never experienced a losing season in his career, credits the schools and the players he coached for his success and his induction into the Indiana Basketball Hall of Fame; and

Whereas, Great accomplishments deserve special recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Bill Patrick on his induction into the Indiana Basketball Hall of Fame and wishes him continued success in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Bill Patrick and his family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1077

Senator Broden called up Engrossed House Bill 1077 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 202: yeas 45, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 41

House Concurrent Resolution 41, sponsored by Senators Steele and Miller:

A CONCURRENT RESOLUTION recognizing the efforts of the Main-1-Media company in designing the In God We Trust license plate for the State of Indiana.

Whereas, Main-1-Media, a local design firm, served as an outstanding partner to the State of Indiana on the project to create the In God We Trust license plate;

Whereas, Rick Terry, Jarrett Horne and Jack Straub of Main-1-Media generously donated their time to the state in developing a number of creative and symbolic options for the license plate design;

Whereas, Four final options were posted on the Internet for the public's consideration, and a tremendous outpouring of over 300,000 responses was received to select the winning design;

Whereas, The implementation of the In God We Trust plate was a huge success with 1,615,087 plates requested by Hoosiers in 2007, the plate's first year of availability: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly expresses its deep gratitude to Main-1-Media for their generosity and their successful design of the In God We Trust license plate.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Main-1-Media.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 42

House Concurrent Resolution 42, sponsored by Senators Jackman and Nugent:

A CONCURRENT RESOLUTION recognizing the FFA.

Whereas, The FFA is the student organization component of Indiana's total agricultural education program;

Whereas, As an intra curricular activity, FFA empowers students to apply the knowledge and competencies gained from classroom laboratory instruction and supervised agricultural experiences;

Whereas, The Indiana FFA and agricultural education provide a strong foundation for the youth of Indiana and the future of the food, fiber, and natural resource systems for Hoosiers statewide;

Whereas, The Indiana FFA nurtures the next generation of Hoosier agriculturists who will be involved in the leadership of every facet of our food and fiber system, including food safety, research and development, environmental protection, sales and

marketing, food production, food processing, international trade, and education;

Whereas, The Indiana FFA promotes premier leadership, personal growth, and career success among its members and assists students in discovering the power they possess through the Youth Agriculture Exchange Brazil Experience, the State Agri-Entrepreneurship Awards Program, conferences and workshops, agriculture career development events, chapter retreats, district officer program, leadership career development events, Project: IMPACT, and the state FFA convention;

Whereas, The FFA motto, "Learning to do, doing to learn, earning to live, living to serve" gives purpose to students who take an active role in succeeding in agricultural education; and

Whereas, The Indiana FFA promotes citizenship, volunteerism, patriotism, and cooperation among its 9,500 active Hoosier members from 185 chapters who join 463,423 national FFA members in the United States: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly acknowledges the important work done by the Indiana FFA in furthering the development of our youth into exceptional citizens of our state.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Indiana FFA.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 43

House Concurrent Resolution 43, sponsored by Senator Breaux:

A CONCURRENT RESOLUTION honoring WTLC-FM Radio Station.

Whereas, WTLC-FM became the first full time radio station serving the Indianapolis Black Community in January 1968;

Whereas, WTLC-FM has set the standard for entertainment, information and public service programming among the Black/Urban formatted radio stations over the last forty years;

Whereas, WTLC-FM has been honored with numerous awards for broadcasting and journalistic excellence, including the Billboard Magazine and Black Radio Exclusive Magazine Station of the Year Award;

Whereas, WTLC-FM is well known for years of community and public service, including 1975 and 1976 "Because We Care" Immunization Campaign, 1987's Baby Love for Healthy Babies and 2006's Stop the Violence campaign, along with numerous other efforts;

Whereas, WTLC-FM has raised millions of dollars throughout the years for its community philanthropies: such as Mozelle Sanders Thanksgiving dinner, United Negro College Fund, NAACP, Operation PUSH and Martin University;

Whereas, WTLC-FM continues its legacy of entertainment, information and service to Indianapolis in its fortieth year of broadcasting; and

Whereas, WTLC-FM is the oldest, continuously programmed Black/Urban FM radio station in America: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates and honors WTLC-FM on their forty years of broadcasting in Indianapolis.

SECTION 2. That the Principal Clerk of the House of Representatives transmits a copy of this Resolution to WTLC-FM.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE PRESIDENT PRO TEMPORE OF THE INDIANA STATE SENATE

Madam President and Members of the Senate: I have on February 18, 2008, signed Senate Enrolled Act 156.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 28 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 24, 50, 52, and 53 and the same are herewith

returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 41, 42, and 43 and the same are herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 37 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 38, 39, and 40 and the same are herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 36 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 32 and 33 and the same are herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 31 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 30 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 29 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Kenley, Simpson, and Skinner be added as cosponsors of House Concurrent Resolution 37.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as cosponsor of Engrossed House Bill 1120.

MEEKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as cosponsor of Engrossed House Bill 1134.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Simpson be added as cosponsor of Engrossed House Bill 1318.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as cosponsor of Engrossed House Bill 1202.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as cosponsor of Engrossed House Bill 1129.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of Engrossed House Bill 1121.

JACKMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gard be added as second sponsor of Engrossed House Bill 1120.

MEEKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lubbers, Merritt, Wyss, and Steele be added as cosponsors of House Concurrent Resolution 29.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as cosponsor of Engrossed House Bill 1293.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be removed as sponsor of Engrossed House Bill 1293 and that Senator Bray be substituted therefor.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as second sponsor of Engrossed House Bill 1293.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Wyss, Paul, Boots,

Delph, Becker, Lewis, and Charbonneau be added as cosponsors of Engrossed House Bill 1067.

WEATHERWAX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as cosponsor of Engrossed House Bill 1187.

LAWSON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waterman be added as cosponsor of Engrossed House Bill 1134.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tallian and Arnold be added as cosponsors of Engrossed House Bill 1219.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 19, 2008.

LAWSON

Motion prevailed.

The Senate adjourned at 4:16 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate